



North Carolina Western
MEMORANDUM

Date: March 11, 2008

To: The Honorable David C. Kessler
U.S. Magistrate Judge

From: Brian L. Hopkins
U.S. Probation Officer

Subject: Wendy N. Brown
Case No. 3:03CR209-02

On 09/10/2004, the above named was sentenced to five (5) months imprisonment to be followed by three years supervised release in U.S. District Court, Charlotte, NC for the offense of Conspiracy to Commit Bank Fraud and Utter Counterfeit Securities, in violation of 18 U.S.C. § 371. On 03/09/2005, the sentence was amended to three (3) years probation pursuant to a Rule 35 motion submitted by the government. Special conditions of the sentence imposed also stipulated payment of \$113,577.81 restitution on a schedule of \$50 per month. On 03/07/2005, the probation officer submitted a violation petition to the Court citing the defendant's failure to comply with the Court imposed restitution payment schedule and citing that the defendant tested positive for marijuana use. On 03/10/2008, the Court approved issuance of a violation warrant. However, because the warrant was issued after the defendant's scheduled supervision expiration date of 03/08/2008, the Court no longer has jurisdiction to address the cited violations pursuant to 18 U.S.C. § 3565(c). As such, the probation officer is withdrawing the violation petition and requesting the Court's approval to withdraw the violation warrant. Should Your Honor have questions regarding this matter, please advise at 704/350-7648.

Approved by: _____

Randall T. Richardson
Supervising U.S. Probation Officer

SO ORDERED this the 20th day of March, 2008.


DAVID C. KESSLER
UNITED STATES MAGISTRATE JUDGE